

JOHN JOSEPH BENGIS, an individual,

Plaintiff,

v.

RICHARD MOSS, ESQ., an individual, and
KRAMER LEVIN NAFTALIS & FRANKEL
LLP a Limited Liability Partnership

Defendants

NOTICE OF APPEAL

08 Civ. 4237 (JSR)

Notice is hereby given that the Plaintiff John Joseph Bengis hereby appeals to the United States Court of Appeals for the Second Circuit from the July 24, 2008 Judgement of the Honorable Jed. S. Rakoff, granting Defendants' Motion to Dismiss, entered in this action of 25th day of July, 2008.

Respectfully Submitted,
INTELLECTULAW
THE LAW OFFICES OF P.B. TUFARIELLO, P.C.

Dated: 8/21/08

Panagiota Betty Tufariello

Panagiota Betty Tufariello (PBT 3429)
25 Little Harbor Road
Mount Sinai, NY 11766
631-476-8734
631-476-8737(FAX)
24yellow@optonline.net
info@intellectulaw.com
betty@intellectulaw.com

Attorneys for Plaintiff
JOHN JOSEPH BENGIS

661357 \$455 8-22-08 MG

FILED COURT
U.S. DISTRICT COURT
2008 AUG 22 PM 1:17
S.D. OF N.Y.

CERTIFICATE OF SERVICE

I hereby certify that on this day a copy of the foregoing **NOTICE OF APPEAL** filed with the **UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK**, dated Thursday, August 21, 2008, has been forwarded to Defendants' **RICHARD MOSS, ESQ.**, an individual, and **KRAMER LEVIN NAFTALIS & FRANKEL LLP'S** via Express Mail, for service upon the following counsel:

Thomas H. Moreland, Esq.
KRAMER LEVIN NAFTALIS &
FRANKEL LLP
1177 Avenue of the Americas
New York, New York 10036
Attorney for Defendants

Respectfully Submitted,

INTELLECTULAW,
THE LAW OFFICES OF P.B. TUFARIELLO, P.C.

Dated: August 21, 2008

By: *Panagiota Betty Tufariello*

Panagiota Betty Tufariello, Esq.
25 Little Harbor Road
Mount Sinai, NY 11766
(631) 476-8734